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DOCUMENT

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DOC #:

DATE FILED: 9/16/2020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA :

-v.- :

DOUGLAS LATCHFORD, :

a/k/a "Pakpong Kriangsak," :

Defendant. :

- - - - - x

NOLLE PROSEQUI

19 Cr. 748 (AT)

1. The filing of this nolle prosequi will dispose of this case in its entirety against defendant DOUGLAS LATCHFORD, a/k/a "Pakpong Kriangsak."

2. On October 17, 2019, Indictment 19 Cr. 748 (the "Indictment") was filed under seal, charging DOUGLAS LATCHFORD, a/k/a "Pakpong Kriangsak," with (i) one count of wire fraud conspiracy, in violation of Title 18, United States Code, Section 1349; (ii) one count of conspiracy to commit offenses against the United States, in violation of Title 18, United States Code, Section 371; (iii) one count of wire fraud, in violation of Title 18, United States Code, Section 1343; (iv) one count of smuggling, in violation of Title 18, United States Code, Section 545; (v) one count of entry of goods by false statements, in violation of Title 18, United States Code, Section 542; and (vi) one count of aggravated identity theft, in violation of Title 18, United States

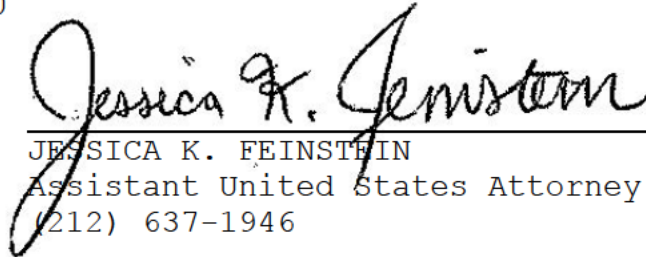
Code, Section 1028A.

3. On November 26, 2019, the Indictment was unsealed and assigned to the Honorable Analisa Torres. Since the Indictment was unsealed, DOUGLAS LATCHFORD, a/k/a "Pakpong Kriangsak," remained at large, residing in Thailand.

4. On or about August 2, 2020, DOUGLAS LATCHFORD, a/k/a "Pakpong Kriangsak," died while in Thailand. Because LATCHFORD died while this case was pending, and therefore before a final judgment was issued, the Indictment must be dismissed under the rule of abatement. *See United States v. Wright*, 160 F.3d 905, 908 (2d Cir. 1998).

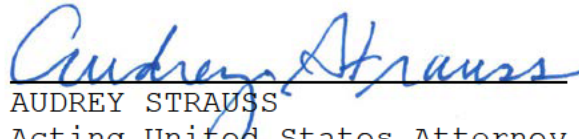
4. In light of the foregoing, I recommend that an order of nolle prosequi be filed as to defendant DOUGLAS LATCHFORD, a/k/a "Pakpong Kriangsak."

Dated: New York, New York
September 14, 2020


JESSICA K. FEINSTEIN
Assistant United States Attorney
(212) 637-1946


Upon the foregoing recommendation, I hereby direct, with leave of the Court, that an order of nolle prosequi be filed as to defendant DOUGLAS LATCHFORD, a/k/a "Pakpong Kriangsak."

Dated: New York, New York
September 14, 2020


AUDREY STRAUSS
Acting United States Attorney
Southern District of New York

SO ORDERED:

Dated: New York, New York
September 16, 2020


ANALISA TORRES
United States District Judge